

THURSDAY, MARCH 29, 2012

The following action minutes are listed as they were acted upon by the Planning Commission and as listed on the agenda for the Regular Meeting of March 29, 2012 together with the maps and staff reports attached thereto and incorporated therein by reference.

HEARINGS ARE ADVERTISED FOR 9:00 A.M. HEARINGS GENERALLY PROCEED IN THE ORDER LISTED, UNLESS CHANGED BY THE PLANNING COMMISSION AT THE MEETING.

ROLL CALL (9:13 AM)

PRESENT: Commissioner(s) Ken Topping, Tim Murphy, Carlyn Christianson, Jim Irving, and Chairman Dan O'Grady.

ABSENT:

FLAG SALUTE (9:13 AM)

PUBLIC COMMENT PERIOD (9:13 AM)

Paul Lee, Cal Fire: introduces new Fire Marshall, Capt. Tony Ramirez.

PLANNING STAFF UPDATES (9:17 AM)

Kami Griffin, Assistant Director: updates Commissioners on their near term schedule. Reports the Osibin cell site application which went to the Board of Supervisors on appeal was continued to July. No final action taken.

CONSENT AGENDA: (9:19 AM)

a. September 22, 2011 Planning Commission minutes

Thereafter, on motion of Carlyn Christianson, seconded by Tim Murphy, and on the following vote:

AYES: Commissioner(s) Carlyn Christianson, Tim Murphy, Ken Topping, Jim Irving, Chairman Dan O'Grady.

NOES: None.

ABSENT: None.

The Commission approves Consent Item a.

HEARINGS:

1. Hearing to consider a request by RICK QUINN for a Conditional Use Permit to allow the three phased expansion of an existing 9,735 square foot (sf) winery (Opolo Winery). The proposed expansion total is approximately 60,000 sf of wine processing, wine storage and tasting/visitor use areas. The project includes a

request to hold 25 special events per year and to have amplified music in addition to participating in wine industry events. The project also includes a modification of the required 200 foot setback to allow a 100 foot and 170 foot setback to a side property line. Secondary access will be developed as part of the project. The project will result in the disturbance of approximately 6.08 acres of the site which includes two parcels totaling 96 acres. The site is in the Agriculture land use category and is located at 7110 Vineyard Drive, approximately 400 feet south of the intersection of Peachy Canyon Road, west of the City of Paso Robles, in the Adelaida planning area. Also to be considered at the hearing will be approval of the Environmental Document prepared for the item. The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on February 9, 2012 for this project. Mitigation measures are proposed to address aesthetics, agricultural resources, air quality, biological resources, cultural, geology and soils, hazards, noise, population/ housing, public services/ utilities, transportation, wastewater and water and are included as conditions of approval. Anyone interested in commenting or receiving a copy of the proposed Environmental Determination should submit a written statement. Comments will be accepted up until completion of the public hearing(s). County File No: DRC2004-00276 Assessor Parcel Number: 039-051-008 & 020 Supervisorial District: 1 Date Accepted: December 2, 2011 Karen Nall, Project Manager Recommend: approval
POST HEARING DETERMINATION: APPROVED
(9:20 AM)

Commissioners Irving, Christianson, Murphy, Topping and Chairman O'Grady disclose ex-parte contacts.

Karen Nall, Project Manager: presents staff report.

Jamie Kirk, agent: shows presentation.

Dan O'Grady: opens Public Comment.

Roger Sheridan, Brent Hallock, Julia Witt (letter Templeton Education Foundation), Robin Nagele (letter Kenneth Volk Vineyards), Emily Cohen (letters Trumpet Vine Catering, All About Tabletops), Chris Behr, David Criveller, David Nichols, Paul Quinn, Robert Nadeau, Maureen Herrera, Anne Paulson, Jason Baird, Scott Welcher, John Seitzer, Steve Orosz, Mike Gibson, Kristin Hinojosa (letter John & Abbey Douglas), Sherri Lotan, Kayla Welcher, Afton Sawyer, Courtney Kienow, Terry Adams, Bill Cain, Tessa Cain, Richard Schroder, Jill Sylvain, Alison Denlinger, Jim Sampson, Eric Braa, Richard Gonzales, Susan Garretson, Jeff Faber, Lisa Bedrogi, Elizabeth Rolph, Geoffrey Hale, Jack Dugan, Alanna Davidson, Kelli Siltzer: speak.

Commissioners: begin listening to testimony and deliberate

Thereafter, on motion of Jim Irving, seconded by Ken Topping, and on the following vote:

AYES: Commissioner(s) Jim Irving, Ken Topping, Tim Murphy, Carlyn Christianson, Chairman Dan O'Grady.

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NOES: None.**ABSENT: None.**

The Commission agrees to hold the meeting past 5:00 PM.

Thereafter, on motion of Jim Irving, seconded by Ken Topping, and on the following vote:

AYES: Commissioner(s) Jim Irving, Ken Topping, Tim Murphy, Carlyn Christianson, Chairman Dan O'Grady.

NOES: None.**ABSENT: None.**

The Commission adopts the Negative Declaration in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq. and approves Conditional Use Permit DRC2004-00276 based on the Findings listed in Exhibit A, changing Finding G. to read: "A modification of the required 200 foot setback to allow a 100 foot north side setback for the Phase 1 barrel storage addition, a 170 foot north side setback for the Phase III case goods storage building, a 100 foot setback for Phase III crush pad and the garden pavillion (amphitheater) is justified because the property fronts on Vineyard Drive, a designated collector road." And subject to the conditions listed in Exhibit B, changing Condition 1. b. to read: "730 sf tasting room, support kitchen and administrative area addition to existing tasting room"; Changing Condition 1. d. to strike the number 25 and change language to "Special Events are limited to 25 days per year with 20 limited to 150 attendees and 5 limited to 250 attendees." Add Finding H. to read: "Increase of case production to 75,000 cases." Delete Condition 5 and re-number; Change Condition 13 to read "AQ-5 Prior to final inspection for Phase 1 expansion, submit evidence of APCD permit for expanded production from 50,000 to 75,000 case per year production." Change Condition 26. to read: "At the time of application for construction permits for Phase I or prior to holding an Event, the applicant shall provide an Event Parking Plan to verify compliance with the required numbers for Special Events and the anticipated number of people and spaces needed for wine industry-wide events and non-advertised events. The plan shall also document the proposed shuttle and carpooling activities. Special events with over 250 attendees shall incorporate options for carpooling into the parking plan". Change Condition 27. to delete the word "Special" before "Event". Change Condition 28. c. to add language to read: "As an alternatie to providing the annual listing of the events in a letter, a website may be used. If a website is used, notification shall first be provided by mail and contain the website address, the 24 hour local contact information and the approved number of events and attendee numbers. The website shall be maintained and kept current at all times." Change Condition 39. to add the language "....or covenants, conditions and restrictions (CC&Rs)...." to the first sentence. Change Condition 54 to strike the word "Each" and replace with "All phases of this land use permit are.....". Change Condition 64. language to read: "On-going condition of approval (valid for the life of the project), outdoor amplified music and sound levels shall be limited to an average 70 dBA and shall not exccd 90 dBA at the position seven feet in front of the spakers. Amplified music or sound shall cease at 5 p.m. a. During events that include amplified music, the owners shall monitor and record noise levels, on an hourly basis, with a sound

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level meter at the property lines to ensure that the noise levels do not exceed 65 dB and those prescribed in the County Land Use Ordinance. b. During events that include amplified music, sound equipment shall be affixed with a sound level meter that does not allow the music levels at the noise source to exceed 90 db. c. Amplified music and sound is limited to a maximum 65 dB at all property lines." And complete the sentence for Condition 69. to read "....and / or Phase II storm water program and the County's Storm Water Pollution Control and Discharge Ordinance, Title 8, Section 8.68 et seq." Adopted.

Thereafter, on motion of Carlyn Christianson, seconded by Jim Irving, and on the following vote:

AYES: Commissioner(s) Carlyn Christianson, Jim Irving, Ken Topping, Tim Murphy, Chairman Dan O'Grady.

NOES: None.

ABSENT: None.

The Commission accepts all correspondence entered into the record.

Thereafter, on motion of Carlyn Christianson, seconded by Jim Irving, and on the following vote:

AYES: Commissioner(s) Carlyn Christianson, Jim Irving, Ken Topping, Tim Murphy, Chairman Dan O'Grady.

NOES: None.

ABSENT: None.

The Commission adjourns to the next regular meeting of the Planning Commission on April 12, 2012.

ADJOURNMENT: 05:24 P.M.

Respectfully submitted
Ramona Hedges, Secretary
County Planning Commission

MINUTES APPROVED AT THE 4/12/12 PC.